

86<sup>th</sup> Legislative Session – 2011

Committee: Senate Judiciary

Thursday, March 03, 2011

P - Present  
E - Excused  
A - Absent

Roll Call

P Begalka  
P Hunhoff (Jean)  
P Nygaard  
P Vehle  
P Buhl  
P Cutler, Vice-Chair  
P Tieszen, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Craig Tieszen, Chair.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, MARCH 1, 2011 AND WEDNESDAY, MARCH 2, 2011

Moved by: Vehle  
Second by: Cutler  
Action: Prevailed by voice vote.

Governor's Reappointment of Debra Flute to the Board of Pardons and Paroles

Presented by: Tim Reisch, Department of Corrections  
Proponents: Senator Jim Bradford

MOTION: CONFIRM REAPPOINTMENT OF DEBRA FLUTE OF ROBERTS COUNTY, SOUTH DAKOTA, TO THE BOARD OF PARDONS AND PAROLES

Moved by: Vehle  
Second by: Buhl  
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Nygaard, Vehle, Buhl, Cutler, Tieszen

Excused: Hunhoff (Jean)

HB 1161: prohibit the use of certain photo radar speed detection systems and of certain photo monitoring devices to detect red light violations.

Presented by: Representative Peggy Gibson  
Proponents: I.L. Wiedermann, self, Sioux Falls  
Opponents: Yvonne Taylor, SD Municipal League  
Doug Barthel, self, Sioux Falls  
Keith Allenstein, City of Sioux Falls

MOTION: DO PASS HB 1161

Moved by: Nygaard  
Second by: Buhl  
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER HB 1161 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Vehle  
Second by: Hunhoff (Jean)

The gavel was passed to Senator Joni Cutler, Vice-Chair.

Action: Prevailed by roll call vote. (4-3-0-0)

Voting Yes: Begalka, Hunhoff (Jean), Vehle, Tieszen

Voting No: Nygaard, Buhl, Cutler

The gavel was returned to Senator Craig Tieszen, Chair.

HB 1087: address comprehensibly the liability relationship between a trespasser and a person with a possessory interest in land.

Presented by: Representative Roger Hunt  
Proponents: Craig Matson, SD Insurance Alliance/State Farm Insurance Companies  
Michael Held, SD Farm Bureau  
Bob Riter Jr., National Federation of Independent Business

MOTION: DO PASS HB 1087

Moved by: Cutler  
Second by: Vehle  
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Buhl, Cutler, Tieszen

HB 1219: extend certain protections against precipitous eviction to certain long-term tenants at will.

Presented by: Representative Patricia Stricherz  
Proponents: Bob Miller, Bank West Pierre

MOTION: DO PASS HB 1219

Moved by: Vehle  
Second by: Cutler  
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Buhl, Cutler, Tieszen

MOTION: PLACE HB 1219 ON CONSENT CALENDAR

Moved by: Cutler  
Second by: Nygaard  
Action: Failed by voice vote.

HB 1242: authorize the use of tribal identification cards as the equivalent of certain state-issued documents for identification purposes.

Presented by: Representative Kevin Killer  
Proponents: Senator Jim Bradford

MOTION: DO PASS HB 1242

Moved by: Nygaard  
Second by: Buhl  
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Buhl, Cutler, Tieszen

MOTION: ADJOURN

Moved by: Nygaard  
Second by: Buhl  
Action: Prevailed by voice vote.

Rena Ortbahn  
Committee Secretary

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Craig Tieszen, Chair